

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON OCTOBER 28, 2008, WITH THE FOLLOWING MEMBERS PRESENT: ROBERT L. PROUD, PRESIDENT, MARY C. WALKER, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

LET THE RECORD SHOW: The Board of County Commissioners recognized the Clermont County Court of Common Pleas, the Clermont County Prosecuting Attorney's Office, and the Department of Job and Family Services/Child Support Enforcement Division for their collaboration and success of the Clermont County Criminal Non-Support Diversion Program. The Diversion Program was designed in 2003 and is a five year program in which eligible offenders who have been indicted for a violation of R.C. 2919.21, non-support or contributing to non-support of dependents are required to plead guilty to the crime and comply with all terms established within the Diversion Program. Upon successful completion of the Program, the Prosecutor's Office petitions the Court to enter a dismissal of the case. Those who successfully complete the Diversion Program are able to avoid a felony conviction. As of May 2008, 21 offenders have completed the Diversion Program resulting in the collection of over \$246,000.00 in child support arrearages and another 141 offenders are making regular child support arrearage payments in compliance with the Program. The County's Diversion Program was recently recognized and presented an award by the Ohio Child Support Directors Association during an awards ceremony on 09/18/08 as one of the ten "Best Practices" in Ohio. (DC# 08-1028-001)

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...
SERVICE AGREEMENT WITH MOTOROLA, INC. FOR THE
PROVISION OF MAINTENANCE SERVICES FOR THE COUNTY'S 800
MHZ VOICE AND DATA RADIO USER DEVICES FOR SAME...08-1016-
003...EXECUTED**

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Elizabeth Nevel, Director, Department of Public Safety Services, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to execute a Service Agreement by and between the County of Clermont, Ohio, and Motorola, Inc., 1307 East Algonquin Road, Schaumburg, Illinois 60196 for the provision of maintenance services for the County's 800 MHz Voice and Data Radio User Devices, in the amount of \$9,000.00, effective 11/11/08 through 11/10/09, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
FLEET MAINTENANCE DIVISION...REQUEST TO REJECT ALL BIDS
RECEIVED FOR THE PURCHASE OF CONSIGNED REPAIR PARTS
TO BE USED FOR MAINTENANCE AND REPAIR OF COUNTY
VEHICLES AND REQUEST TO RE-ADVERTISE FOR BIDS FOR
SAME...08-0811-001...RATIFIED**

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to reject all bids received on 09/18/08 for the purchase of Consigned Repair Parts to be used for maintenance and repair of county vehicles by the Fleet Maintenance Division pursuant to Section 307.90 of the Ohio Revised Code; to approve the request to re-advertise for same pursuant to the specifications therefore; and further, to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 11/06/08, with bids to be received therefore until **2:00 P.M. Local Time on Thursday, 11/20/08**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/FLEET MAINTENANCE DIVISION...DECLARATION OF PERSONAL PROPERTY AS NO LONGER NEEDED FOR PUBLIC USE, OBSOLETE, OR UNFIT; EXECUTION OF CONTRACT FOR AUCTION SERVICES FOR THE DISPOSITION THEREOF; AND PUBLICATION OF "NOTICE OF PUBLIC AUCTION" RELATIVE THERETO...08-1023-005...RATIFIED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of John B. Mickam, Director, Fleet Maintenance Division, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, that the Board of County Commissioners resolve to declare certain personal property, including computers, furniture, vehicles and heavy equipment/tractors, acquired for the use of county officers and departments of Clermont County, Ohio, as no longer needed for public use, obsolete, or unfit for the use for which it was acquired and forfeited vehicles released for sale from the County Sheriff's Office and to sell the afore stated property at public auction to the highest bidder pursuant to Section 307.12 of the Ohio Revised Code; to execute the Contract for Auction Services by and between the County of Clermont, Ohio, and Mike Towler, dba Towler's Auction Service, Inc., 506 N. Market Street, Felicity, Ohio 45120 to advertise, promote, and sell the referenced personal property at public auction, with the commission therefore to be seven (7) percent of the gross sales, pursuant to the terms and conditions set forth therein; and to authorize the Clerk of the Board to place a "Notice of Public Auction" in a newspaper of general circulation on 11/06/08, designating **Saturday, 11/22/08, at 10:00 A.M. Local Time** at the premises known as the Clermont County Municipal Court – Front Parking Lot, 4430 State Route 222, Batavia, Ohio 45103, as the date, time, and place of the sale therefore, pursuant to Section 307.12 of the Ohio Revised Code. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT...CONTRACT EXTENSION WITH RUMPKE OF OHIO, INC. FOR LANDFILL DISPOSAL SERVICES FOR SAME...07-1204-004...EXECUTED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Bill Beyer, WSD Supervisor, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute a Contract Extension by and between the County of Clermont, Ohio, and Rumpke of Ohio, Inc., 10795 Hughes Road, Cincinnati, Ohio 45251, previously ratified by the Board of County Commissioners on 01/23/08, for landfill disposal services of sludge generated at Clermont County and City of Milford wastewater treatment plants and alum residuals generated at the Bob McEwen Water Treatment Plant, for an additional one year period, 01/01/09 through 12/31/09, with all other terms and conditions of the original contract to remain in full force and effect, and contingent upon the adoption of the Annual Appropriations for Calendar Year 2009 and issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT...CONTRACT EXTENSION WITH UTTER CONSTRUCTION, INC. FOR SLUDGE MANAGEMENT SERVICES FOR SAME...07-1130-004...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Bill Beyer, WSD Supervisor, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute a Contract Extension by and between the County of Clermont, Ohio, and Utter Construction, Inc., 779 Prather Road, Felicity, Ohio 45120, previously ratified by the Board of County Commissioners on 03/18/08, for hauling and disposal of sludge generated at Clermont County and City of Milford wastewater treatment plants and alum residuals generated at the Bob McEwen Water Treatment Plant, for an additional one year period, 01/01/09 through 12/31/09, with all other terms and conditions of the original contract to remain in full force and effect, and contingent upon the adoption of the Annual Appropriations for Calendar Year 2009 and the issuance of a purchase order therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT...EXTENSION OF AGREEMENT WITH THE CITY OF MILFORD FOR SLUDGE MANAGEMENT SERVICES FOR SAME...08-0118-001...EXECUTED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Bill Beyer, WSD Supervisor, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute an Extension of Agreement by and between the County of Clermont, Ohio, and the City of Milford, 745 Center Street, Suite 200, Milford, Ohio 45150, previously ratified by the Board of County Commissioners on 01/29/08, designating the County as fiscal and contractual agent for the administration of sludge management services on behalf of the City of Milford for an additional one year period, 01/01/09 through 12/31/09, with all other terms and conditions of the original Agreement to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT...CONTRACT FOR PROFESSIONAL SERVICES WITH MWH AMERICAS, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES FOR PROJECT NUMBER 651-0123 RELATIVE TO THE SHAYLER RUN SEGMENT C SEWER REPLACEMENT PROJECT LOCATED WITHIN UNION TOWNSHIP...08-1016-004...EXECUTED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and MWH Americas, Inc., 1300 East Ninth Street, Suite 1100, Cleveland, Ohio 44114 relative to construction administration services for Project Number 651-0123 relative to the Shayler Run Segment C Sewer Replacement Project located within Union Township, at a total cost not to exceed \$775,650.00, with said services to be completed within 1,220 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Sewer District, exclusive of County review time, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT...CONTRACT FOR PROFESSIONAL SERVICES WITH CH2M HILL, INC. FOR PROJECT NUMBER 651-0006 RELATIVE TO THE LOWER EAST FORK WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT LOCATED WITHIN MIAMI TOWNSHIP...08-1016-005...EXECUTED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and CH2M Hill, Inc., 300 E-Business Way, Suite 400, Cincinnati, Ohio 45241 for Project Number 651-0006 relative to the Lower East Fork Wastewater Treatment Plant Improvement Project located within Miami Township, at a total cost not to exceed \$553,188.00, with said services to be completed within 365 consecutive calendar days upon issuance of a written Notice to Proceed from the Clermont County Sewer District, exclusive of County review time, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT/COUNTY WATERWORKS SYSTEM...RESOLUTION NUMBER 171-08/RESOLUTION RATIFYING DETAILED PLANS, SPECIFICATIONS, ESTIMATES OF COST AND FINANCING AND TENTATIVE ASSESSMENTS FOR THE CONSTRUCTION OF PROJECT NUMBER 621-0039 RELATIVE TO THE OAK VIEW DRIVE WATER PETITION PROJECT SITUATED WITHIN GOSHEN TOWNSHIP...08-1023-001...ADOPTED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **171-08** ratifying the detailed plans, specifications, estimates of cost and financing and tentative assessments for proposed improvements to the County Waterworks System within the Clermont County Sewer District as set forth in Exhibit "A", attached thereto and made a part thereof, designated as Project Number 621-0039 and described as the construction of the Oak View Drive Water Petition Project situated within Goshen Township, of which all of the aforesaid shall be filed in the Office of the County Sanitary Engineer, 4400 Haskell Lane, Batavia, Ohio 45103, where the same shall be open to the inspection of all persons interested therein, pursuant to Chapter 6103 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT/COUNTY WATERWORKS SYSTEM...RESOLUTION NUMBER 172-08/RESOLUTION DECLARING THE NECESSITY FOR PROJECT NUMBER 621-0039 RELATIVE TO THE CONSTRUCTION, MAINTENANCE AND OPERATION OF THE OAK VIEW DRIVE WATER PETITION PROJECT SITUATED WITHIN GOSHEN TOWNSHIP AND AUTHORIZING PUBLICATION OF NOTICE OF PUBLIC HEARING RELATIVE TO ENDORSEMENTS OF AND/OR OBJECTIONS THERETO...08-1023-002...ADOPTED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **172-08** declaring the necessity to construct improvements to the Clermont County Waterworks System within the Clermont County Sewer District for Project Number 621-0039 consisting of constructing, maintaining and operating the Oak View Drive Water Petition Project situated within Goshen Township, as set forth in Exhibits "A" and "B", attached thereto and made a part thereof, and as more particularly described in the detailed plans, specifications, estimates of cost and financing and tentative assessments which are on file in the Office of the Clermont County Sewer District, 4400 Haskell Lane, Batavia, Ohio 45103 where they may be examined by all persons interested therein, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation for two consecutive weeks commencing on 11/06/08, to publish the date, time, and place designated by the Board of County Commissioners where endorsements of and/or objections to the construction and financing of the aforesaid proposed improvements will be heard pursuant to Chapter 6103 of the Ohio Revised Code. Public Hearing to be held at **2:00 P.M. Local Time on Wednesday, 12/03/08**, at the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

IN RE: CLERMONT COUNTY SEWER DISTRICT/COUNTY WATERWORKS SYSTEM...RESOLUTION NUMBER 173-08/RESOLUTION RATIFYING DETAILED PLANS, SPECIFICATIONS, ESTIMATES OF COST AND

**FINANCING AND TENTATIVE ASSESSMENTS FOR THE
CONSTRUCTION OF PROJECT NUMBER 621-0037 RELATIVE TO
THE DIXIE LANE WATER PETITION PROJECT SITUATED WITHIN
WILLIAMSBURG TOWNSHIP...08-1023-003...ADOPTED**

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **173-08** ratifying the detailed plans, specifications, estimates of cost and financing and tentative assessments for proposed improvements to the County Waterworks System within the Clermont County Sewer District as set forth in Exhibit "A", attached thereto and made a part thereof, designated as Project Number 621-0037 and described as the construction of the Dixie Lane Water Petition Project situated within Williamsburg Township, of which all of the aforesaid shall be filed in the Office of the County Sanitary Engineer, 4400 Haskell Lane, Batavia, Ohio 45103, where the same shall be open to the inspection of all persons interested therein, pursuant to Chapter 6103 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY SEWER DISTRICT/COUNTY WATERWORKS
SYSTEM...RESOLUTION NUMBER 174-08/RESOLUTION DECLARING
THE NECESSITY FOR PROJECT NUMBER 621-0037 RELATIVE TO
THE CONSTRUCTION, MAINTENANCE AND OPERATION OF THE
DIXIE LANE WATER PETITION PROJECT SITUATED WITHIN
WILLIAMSBURG TOWNSHIP AND AUTHORIZING PUBLICATION OF
NOTICE OF PUBLIC HEARING RELATIVE TO ENDORSEMENTS OF
AND/OR OBJECTIONS THERETO...08-1023-004...ADOPTED**

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to adopt Resolution Number **174-08** declaring the necessity to construct improvements to the Clermont County Waterworks System within the Clermont County Sewer District, for Project Number 621-0037 consisting of constructing, maintaining and operating the Dixie Lane Water Petition Project situated within Williamsburg Township, as set forth in Exhibits "A" and "B", attached thereto and made a part thereof, and as more particularly described in the detailed plans, specifications, estimates of cost and financing and tentative assessments which are on file in the Office of the Clermont County Sewer District, 4400 Haskell Lane, Batavia, Ohio 45103 where they may be examined by all persons interested therein, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation for two consecutive weeks commencing on 11/06/08, to publish the date, time, and place designated by the Board of County Commissioners where endorsements of and/or objections to the construction and financing of the aforesaid proposed improvements will be heard pursuant to Chapter 6103 of the Ohio Revised Code. Public Hearing to be held at **2:30 P.M. Local Time on Wednesday, 12/03/08**, at the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

**IN RE: CLERMONT COUNTY SEWER DISTRICT...RELEASE OF
MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF A
WATER MAIN EXTENSION AND ACCEPTANCE OF SAME INTO THE
COUNTY WATERWORKS SYSTEM...06-1115-003...APPROVED**

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to authorize the release of a Maintenance Bond which provided surety for the installation of a water main extension to serve the following location and to accept said water main extension into the County Waterworks System pursuant to the Clermont County Sewer District Rules and Regulations:

Location	Township	Water Bond
Freedom Industrial Park	Pierce	\$1,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...PERMANENT AND TEMPORARY EASEMENTS
HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF
CLERMONT, OHIO, FOR PROJECT NUMBER GO-30-01 RELATIVE TO
THE OLD STATE ROUTE 28 BRIDGE REPLACEMENT PROJECT
LOCATED IN GOSHEN TOWNSHIP...08-1020-002...ACCEPTED**

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the following Permanent and Temporary Easements heretofore granted and conveyed to the County of Clermont, Ohio, for roadway and drainage purposes necessary for Project Number GO-30-01 relative to the Old State Route 28 Bridge Replacement Project located within Goshen Township, and to authorize the County Auditor to remit payment as compensation for the Permanent and Temporary Easements and Rights-of-Ways granted thereby:

Grantor	Parcel Number(s)	Compensation	
Katsetos & Snider Investments, Ltd. 1822 Main Street Goshen, Ohio 45122	11-22-07J-187	Perm	Donated
	11-22-07L-205	Temp	Donated

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

**IN RE: COUNTY ENGINEER...PERMANENT UTILITY EASEMENT
HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF
CLERMONT, OHIO, FOR THE REPLACEMENT OF A TRAFFIC
SIGNAL AT THE INTERSECTION OF MT. CARMEL-TOBASCO ROAD
AND BEECHMONT DRIVE LOCATED IN UNION TOWNSHIP...08-1020-
001...ACCEPTED**

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the following Permanent Utility Easement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes necessary for the replacement of a traffic signal at the intersection of Mt. Carmel-Tobasco Road and Beechmont Drive located within Union Township, and to authorize the County Auditor to remit payment as compensation for the Permanent Utility Easement and Right-of-Way granted thereby:

Grantor	Parcel Number(s)	Compensation
Robert G. Cropper P.O. Box 44027 Cincinnati, Ohio 45244 Property Location: Mt. Carmel-Tobasco Road	41-32-14A-133 41-32-14A-184	Perm \$1,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

**IN RE: BOARD OF COUNTY COMMISSIONERS...YOUNG WOMEN'S
CHRISTIAN ASSOCIATION OF CINCINNATI APPLICATION FOR
FUNDING FOR FISCAL YEAR 2009 RELATIVE TO SHELTERS FOR
VICTIMS OF DOMESTIC VIOLENCE...08-0829-001...APPROVED**

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve the Application of the Young Women's Christian Association, 898 Walnut Street, Cincinnati, Ohio 45202, received on 08/28/08 for the release of funds to be collected as fees for the issuance of marriage licenses and for the release of funds to be collected as additional fees for the filing of each new action or proceeding for annulment, divorce, or dissolution of marriage from 01/01/09 through 12/31/09, pursuant to Sections 3113.34 and 2303.201 (D) of the Ohio Revised Code for the operation of the House of Peace, a shelter for victims of domestic violence, for which the funds to be collected from 01/01/09 through 12/31/09 are estimated not to exceed the amount of \$45,626.00 heretofore collected in Calendar Year 2007, pursuant to Section 3113.35(B) of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

LET THE RECORD SHOW: THAT A MOTION BY MRS. WALKER, SECONDED BY MR. CROSWELL, TO RECESS REGULAR SESSION AT 1:38 P.M. TO BE RECONVENED AT 2:00 P.M. THIS DATE, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 2:00 P.M.

**IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING
RELATIVE TO THE PROPOSED VACATION OF ALL OF CASH ALLEY
AND PORTIONS OF PLUM ALLEY SITUATED WITHIN JACKSON
TOWNSHIP...08-0815-001**

LET THE RECORD SHOW: THAT COMMISSIONERS ROBERT L. PROUD AND MARY C. WALKER, DAVID SPINNEY, COUNTY ADMINISTRATOR, JUDITH KOCICA, CLERK OF THE BOARD, AND CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, VIEWED ALL OF CASH ALLEY AND THE PORTIONS OF PLUM ALLEY SITUATED WITHIN JACKSON TOWNSHIP PROPOSED TO BE VACATED ON 10/28/08 AT 11:00 A.M.

LET THE RECORD FURTHER SHOW: THAT COMMISSIONER R. SCOTT CROSWELL III VIEWED THE PROPOSED AREA TO BE VACATED ON 10/27/08 AT 2:00 P.M.

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS HELD THIS DATE AT 2:00 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960 TO AFFORD PUBLIC COMMENT ON THE PROPOSED VACATION OF ALL OF CASH ALLEY AND PORTIONS OF PLUM ALLEY SITUATED WITHIN JACKSON TOWNSHIP.

THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M.

CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, PROVIDED AN OVERVIEW OF THE PROPOSED VACATION OF ALL OF CASH ALLEY AND PORTIONS OF PLUM ALLEY SITUATED WITHIN JACKSON TOWNSHIP.

DAVID MANN, OF MANN & MANN, LLC, ATTORNEYS AT LAW, 1900 KROGER BUILDING, 1014 VINE STREET, CINCINNATI, OHIO 45202-1141, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS REPRESENTING HIS CLIENT, STANLEY KUNTZ, 2990 U.S. ROUTE 50, BATAVIA, OHIO 45103, IN FAVOR OF THE PROPOSED ROAD VACATION. HE ADVISED THAT MR. KUNTZ NEEDS THE PROPOSED VACATION APPROVED IN ORDER TO OBTAIN WATER SERVICE TO HIS RESIDENCE. MR. MANN INDICATED THAT THERE ARE SEVERAL ISSUES BETWEEN MR. KUNTZ AND ABUTTING PROPERTY OWNERS, RONI YOUNG, SR. AND RONI YOUNG, JR., THAT ARE PART OF AN UNDERLYING LAWSUIT RELATIVE TO UTILITY ISSUES AND THE EXISTING INGRESS, EGRESS, AND UTILITIES EASEMENT.

UPON THE CALL FOR TESTIMONY FOR THOSE IN OPPOSITION OF THE PROPOSED VACATION, RICHARD UHLE, OF THE LAW OFFICES OF DURKEE & UHLE, 285 MAIN STREET, BATAVIA, OHIO, 45103, ADDRESSED THE BOARD OF COUNTY COMMISSIONERS REPRESENTING HIS CLIENTS, RONI YOUNG, SR. AND RONI YOUNG, JR., 2992 U.S. ROUTE 50, BATAVIA, OHIO 45103. MR. UHLE STATED THAT HIS CLIENTS ARE NOT OBJECTING TO THE PROPOSED VACATION; THAT HE AND HIS CLIENTS MET EARLIER TODAY WITH MR. MANN AND HIS CLIENT, STANLEY KUNTZ, AND THAT THEY HAVE VERBALLY AGREED TO REMAIN NEUTRAL AND TO MAINTAIN THE STATUS QUO IN AND AS IT RELATES TO THE ROAD VACATION, WHICH IS TO BE PUT INTO THE FORM OF AN AGREED ENTRY, AND FURTHER STATED THEIR INTENT TO WORK ON THE RESOLUTION OF THE OTHER ISSUES.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 2:17 P.M. LOCAL TIME.

LET THE RECORD SHOW: THAT A MOTION BY MRS. WALKER, SECONDED BY MR. CROSWELL, TO RECESS REGULAR SESSION AT 2:17 P.M. TO BE RECONVENED AT 2:30 P.M. THIS DATE, CARRIED WITH ALL MEMBERS PRESENT VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE BOARD RECONVENED REGULAR SESSION AT 2:30 P.M.

IN RE: BOARD OF COUNTY COMMISSIONERS...PUBLIC HEARING RELATIVE TO THE PROPOSED VACATION OF AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 AND FIRST STREET BETWEEN LOT NUMBER 30 AND LOT NUMBER 55 (FORMERLY LOT NUMBER 31) SITUATED WITH THE UNINCORPORATED VILLAGE OF PALESTINE IN PIERCE TOWNSHIP...08-0522-008 AND 08-0819-002

LET THE RECORD SHOW: THAT COMMISSIONERS ROBERT L. PROUD AND MARY C. WALKER, SCOT LAHRMER, ASSISTANT COUNTY ADMINISTRATOR, AND CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, VIEWED THE UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 AND FIRST STREET BETWEEN LOT NUMBER 30 AND LOT NUMBER 55 (FORMERLY LOT NUMBER 31) SITUATED WITH THE UNINCORPORATED VILLAGE OF PALESTINE IN PIERCE TOWNSHIP PROPOSED TO BE VACATED ON 10/27/08 AT 11:00 A.M.

LET THE RECORD FURTHER SHOW: THAT COMMISSIONER R. SCOTT CROSWELL III VIEWED THE PROPOSED AREA TO BE VACATED ON 10/25/08 AT 3:00 P.M.

LET THE RECORD SHOW: THAT A PUBLIC HEARING WAS HELD THIS DATE AT 2:30 P.M. IN THE OFFICE OF THE BOARD OF COUNTY COMMISSIONERS, 101 EAST MAIN STREET, BATAVIA, OHIO 45103-2960 TO AFFORD PUBLIC COMMENT ON THE PROPOSED VACATION OF AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 AND FIRST STREET BETWEEN LOT NUMBER 30 AND LOT NUMBER 55 (FORMERLY LOT NUMBER 31) SITUATED WITH THE UNINCORPORATED VILLAGE OF PALESTINE IN PIERCE TOWNSHIP.

THIS PUBLIC HEARING WAS RECORDED AND VIDEOTAPED AND EITHER/OR ARE AVAILABLE FOR PUBLIC INSPECTION MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M.

CRAIG RISNER, DEPUTY SURVEYOR, CLERMONT COUNTY ENGINEER'S OFFICE, PROVIDED AN OVERVIEW OF THE PROPOSED VACATIONS. THE VACATIONS WILL NOT CREATE ANY LANDLOCKED PARCELS AND DO NOT CONTAIN ANY ROAD MILEAGE CURRENTLY REIMBURSED BY THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION. MR. RISNER ADVISED THE PLATS AND LEGAL DESCRIPTIONS ARE COMPLETE AND ACCEPTABLE FOR VACATION PURPOSES.

NO ONE APPEARED IN OPPOSITION TO THE PROPOSED VACATIONS, NOR WERE ANY WRITTEN COMMENTS RECEIVED RELATIVE THERETO.

HAVING NO FURTHER COMMENT TO COME BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION THEREOF, THE PUBLIC HEARING WAS CONCLUDED AT 2:35 P.M. LOCAL TIME.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 175-08/RESOLUTION DETERMINING TO VACATE AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 AND FIRST STREET BETWEEN LOT NUMBER 30 AND LOT NUMBER 55 (FORMERLY LOT NUMBER 31) SITUATED WITHIN THE UNINCORPORATED VILLAGE OF PALESTINE IN PIERCE TOWNSHIP...08-0522-008 AND 08-0819-002...ADOPTED

Moved by Mrs. Walker, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to adopt Resolution Number **175-08** determining to vacate an Unnamed Alley between Lot Number 2 and Lot Number 3 and First Street between Lot Number 30 and Lot Number 55 (formerly Lot Number 31) situated within the unincorporated Village of Palestine in Pierce Township, Clermont County, Ohio, as described therein, pursuant to and in compliance with Section 5553.04 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mrs. Walker, Yes; Mr. Croswell, Yes; Mr. Proud, Yea.

IN RE: BOARD OF COUNTY COMMISSIONERS...RECOMMENDATION TO TABLE THE DISPOSITION OF THE REQUEST TO VACATE ALL OF CASH ALLEY AND PORTIONS OF PLUM ALLEY SITUATED WITHIN JACKSON TOWNSHIP...08-0815-001...APPROVED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

Recommendation to table the disposition of the request to vacate all of Cash Alley and portions of Plum Alley situated within Jackson Township, Clermont County, Ohio, as described therein, until the attorneys verbal agreement is memorialized.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

LET THE RECORD SHOW: That a motion by Mrs. Walker, seconded by Mr. Croswell, to approve the minutes of Regular Session of **10/28/08** carried with all members present voting affirmatively thereon.

IN RE: ADJOURNMENT...APPROVED

Moved by Mr. Croswell, seconded by Mrs. Walker, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 2:43 P.M. until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mrs. Walker, Yes; Mr. Proud, Yea.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT
MARY C. WALKER, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 10/28/08